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## STAFF COMMENTS FOR PLANNING COMMISSION

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**MEETING DATE:** March 8, 2006

**SITE PLAN: SP-06-0001**

**TITLE:** Commerce Bank

**REQUEST:** FINAL PLAN APPROVAL

For redevelopment of existing restaurant to bank with drive-up windows

**ADDRESS:** 810 West Diamond Avenue

**ZONE:** C-2 (General Commercial) Zone

**APPLICANT/REPRESENTATIVE/ATTORNEY/DEVELOPER:** (as applicable)

Engineer: Bohler Engineering, P.C. – Shawn Frost  
Architect: InterArch – Scott Wrasman  
Attorney: Miller, Miller & Canby – Jody Kline

**STAFF PERSON:** Caroline Seiden, Planner

**Enclosures:**

Staff Comments

- Exhibit 1: Application
- Exhibit 2: Site Location Map
- Exhibit 3: Site Plan
- Exhibit 4: Landscape Plan
- Exhibit 5: Building Elevations
- Exhibit 6: Building Prototype
- Exhibit 7: Monument Sign
- Exhibit 8: Simulated Photographs of Monument Sign (Day and Evening)
- Exhibit 9: Building and Directional Signage
- Exhibit 10: Photo Simulation of Relocated Quince Tree Executive Center Sign
- Exhibit 11: Letter to Caroline Seiden from Jody S. Kline, Miller, Miller & Canby, March 1, 2006
- Exhibit 12: E-mail to Caroline Seiden from Karon Perrill, Lone Star Steakhouse, March 2, 2006

## **STAFF COMMENTS**

The applicant is seeking Final Site Plan Approval for the redevelopment of this 1.35-acre parcel located at 810 West Diamond Avenue, with access from a private driveway off Bureau Drive (Exhibit #2). The property is located in the C-2 (General Commercial) Zone and is intended for use as a bank with drive-up window service. The property, formerly a Chili's restaurant, received site plan approval for the restaurant (S-1052) on January 3, 1996 and received concept plan approval for the proposed bank (CSP-05-0007) on December 7, 2005.

### Current Application

The current application proposes a 4,100 square foot one-story building for a Commerce Bank branch to replace the 5,700 square foot restaurant building (Exhibit #3). The bank will include four drive-up windows on the north side of the building. An ATM machine will be housed inside the building vestibule. The existing parking layout would be unchanged. Because the site was originally developed as a restaurant, the number of parking spaces on site (43) far exceeds the number of required spaces (14). The fourteen spaces closest to the building will be restriped to reflect current parking stall standards of 10 feet by 17 feet. The remaining spaces will continue to be available for use by all the buildings of Quince Tree Executive Center.

There are several issues related to the drive aisle leading to the drive-thru windows. Ollie Mumpower, Department of Public Works, Park Maintenance and Engineering (DPWPM&E) reviewed the car stacking plan for the drive-thru windows and is comfortable with the plan. He does, however, have some concerns about the width of the drive aisle along the south side of the building. A typical drive aisle is 15 feet wide. Due to space constraints, the drive aisle has been reduced to 12 feet. Staff has suggested that the applicant provide additional information to confirm that there are adequate turning radii from the drive aisle into the drive-thru window stalls.

The applicant has also indicated that in order to build the drive-aisle leading around the south side of the building, five parking spaces on the adjacent Lone Star restaurant property must be moved three feet to the south. An e-mail from the adjacent property owner granting permission to Commerce Bank to shift the parking spaces is included as Exhibit #12. Changes to the Lone Star site plan reflecting the relocation of the five parking spaces must be approved by staff (minor amendment) prior to issuance of any permits for Commerce Bank.

### Building Elevations

Building elevations are identical to those reviewed by the Planning Commission at its review of the concept plan (Exhibit #5). Photo simulations (Exhibit #6) of a prototype bank building, similar to the design proposed for this site are also

included. The proposed building is one-story and is predominantly brick and glass. A mural inside the building would be visible at night from the street.

### Signage

The applicant has submitted a comprehensive sign package, including a three-sided monument sign, building signage and directional signage (Exhibits #7, #8 and #9). A condition of the concept plan approval was that the applicant "remove references on the site plan to a proposed monument sign at the driveway entrance." This condition was imposed due to the fact that a monument sign for the Quince Tree Executive Center already exists on the bank property. The applicant is seeking approval from the office property owner to relocate the Quince Tree Executive Center sign to the adjacent property on the other side of the driveway (Exhibit #10). Should this occur, the applicant would then be permitted to place a monument sign as noted on the site plan. Condition #1 addresses this issue.

Signs have been modified from the prototypical Commerce Bank signage to meet the City's new sign ordinance. The directional and monument signs, which appear in daytime to be white internally lit box signs, are opaque at night and only the lettering will be lit. A nighttime photograph of a similar Commerce Bank sign is included in Exhibit #8.

According to Section 24-212(c)(1) of the Zoning Ordinance, building signage is limited to only those sides of a building that face a public street or have a public entrance, unless approved by the Planning Commission. The applicant is seeking planning commission approval for building signage on the east façade of the building (Exhibit #11). While this side of the building does not have a public entrance, the placement of the drive-through windows indicate customer use of this side of the building. Staff is comfortable with the placement of signage on the north façade of the building and recommends Planning Commission approval. The poster box sign, as submitted, does not comply with the City's new sign ordinance because it is an internally lit box sign. A condition regarding this sign is included as Condition #4.

Staff finds this plan in compliance with Section 24-170 and 24-171 of the City Code and recommends approval with the following conditions:

1. Monument sign at driveway entrance will be permitted only upon removal of the existing Quince Tree Executive Center sign currently on the property;
2. Final storm water management, lighting, and signing and marking plans to be approved by Department of Public Works, Park Maintenance and Engineering (DPWPM&E) prior to the issuance of site work permits;
3. Parking lot modifications to 808 W. Diamond Avenue to be approved by staff (minor amendment) after the execution of an access easement

agreement with Lone Star Steakhouse and prior to the issuance of any permits;

4. The poster box sign on the east façade of the building is permitted, but may not be internally illuminated;
5. Applicant work with staff to ensure drive aisle width on south side of building is adequate.

## SITE PLAN APPLICATION

In accordance with Article III, Division 19, Section 24-160 D.9  
and Article V of the City Code

Application #	SP-06-0001
Date Filed	2-10-06
Total Fee	691.00 pd.

awe 9.00 pd

- ☐ CONCEPT  
☐ PRELIMINARY  
☒ FINAL (MXD FEE APPLIES)  
☐ SCHEMATIC DEVELOPMENT

## 1. SUBJECT PROPERTY

Project Name COMMERCE BANK  
 Street Address 810 W. DIAMOND AVE.  
 Zoning C-2 Historic area designation ☐ Yes ☒ No  
 Lot 14 Block A Subdivision 201  
 Tax Identification Number (MUST BE FILLED IN) 03135058

## 2. APPLICANT

Name COMMERCE BANK  
 Street Address 9000 ATRIUM WAY  
 City MT. LAUREL State NJ Suite No. 08054  
 Telephones: Work 1-888-751-9000 Home \_\_\_\_\_

## 3. CITY PROJECT NUMBER

Original Site Plan Number (if applicable) \_\_\_\_\_  
 Name of previously approved Final Plan (if applicable) \_\_\_\_\_

## 4. ARCHITECT/ENGINEER/DEVELOPER

Architect's Name INTERARCH  
 Architect's Maryland Registration Number \_\_\_\_\_ Telephone (856) 439-9000  
 Street Address 11000 ATRIUM WAY Suite No. \_\_\_\_\_  
 City LAUREL State NJ Zip Code 08054

Engineer's Name BOHLER ENGINEERING, P.C.

Engineer's Maryland Registration Number \_\_\_\_\_ Telephone (410) 821-7900  
 Street Address 810 GLENEAGLES COURT Suite No. 300  
 City TOWSON State MD Zip Code 21286

Developer's Name WEST DIAMOND AVE. LLC

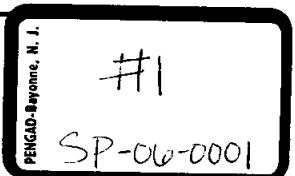
Street Address 8511 CEDAR STREET Telephone \_\_\_\_\_  
 City SILVER SPRING Suite No. \_\_\_\_\_  
 State MD Zip Code 20910  
 Contact Person \_\_\_\_\_

## 4. PROPERTY OWNER

Name WEST DIAMOND AVENUE LLC  
 Street Address 8511 CEDAR STREET  
 City SILVER SPRING State MD Suite No. \_\_\_\_\_  
 Zip Code 20910  
 Telephones: Work \_\_\_\_\_ Home \_\_\_\_\_

continued on reverse side

JOSH PAJAL, 410-821-7900



**6. PRIMARY USE**☐ Mixed Use☒ Non-Residential☐ Residential**7. PROPOSED UNIT TYPE**☐ Mixed Use☒ Office/Professional☐ Restaurant☐ Retail/Commercial☐ Residential Multi-Family☐ Residential Single Family☐ Other**8. WORK DESCRIPTION**

DEVELOPMENT OF A NEW COMMERCE BANK ON AN EXISTING BUILDING'S LOCATION.  
 EXISTING BUILDING IS TO BE DEMOLISHED AND NEW BANK AND SITE IMPROVEMENTS  
 ARE TO BE CONSTRUCTED.

**9. PROJECT DETAIL INFORMATION.** Please supply the following information

DEVELOPMENT INFORMATION		REQUIRED	PROVIDED
1. Site(squarefeet)		NOT SPECIFIED	59,079 SF
2. Site Area (acres)		NOT SPECIFIED	1.356 AC.
3. Total Number of Dwelling Units/Lots		N/A	N/A
4. Height of Tallest Building		10 STORIES	1 STORY
5. Green Area (square feet)		NOT SPECIFIED	
6. Number of Dwelling Units/Acre		N/A	N/A
7. Lot Coverage (Percent)		NOT SPECIFIED	
8. Green Area (Percent)		NOT SPECIFIED	
9. Residential			
a. Single Family Detached	# Units		
b. Single Family Attached	# Units		
c. Multi-Family Condo	# Units		
d. Multi-Family Apartment	# Units		
e. Other			
10. Retail/Commercial	Sq. Ft.		
11. Restaurant Class: <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C	Sq. Ft.		
12. Office/Professional	Sq. Ft.	NOT SPECIFIED	4,100 SF
13. Warehouse/Storage	Sq. Ft.		
14. Parking		14 SPACES	43 SPACES
15. Shared Parking/Waiver			
16. Other			
17. Total			

**SUBMISSION REQUIREMENTS**

1. Set of plans per the respective checklist. Plans must be folded to 8 1/2 x 11."
2. Completion of the table above.
3. Completed checklist.
4. Fee as applicable.

I have read and complied with the submission requirements and affirm that all statements contained herein are true and correct.

Applicant's Name (please print) Michael Gesell

Applicant's Signature [Signature]

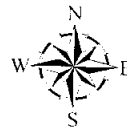
Daytime Telephone 410-821-7900

Date 2/9/08

# SP-06-0001 - Commerce Bank

810 W. Diamond Avenue

60 30 0 60 Feet



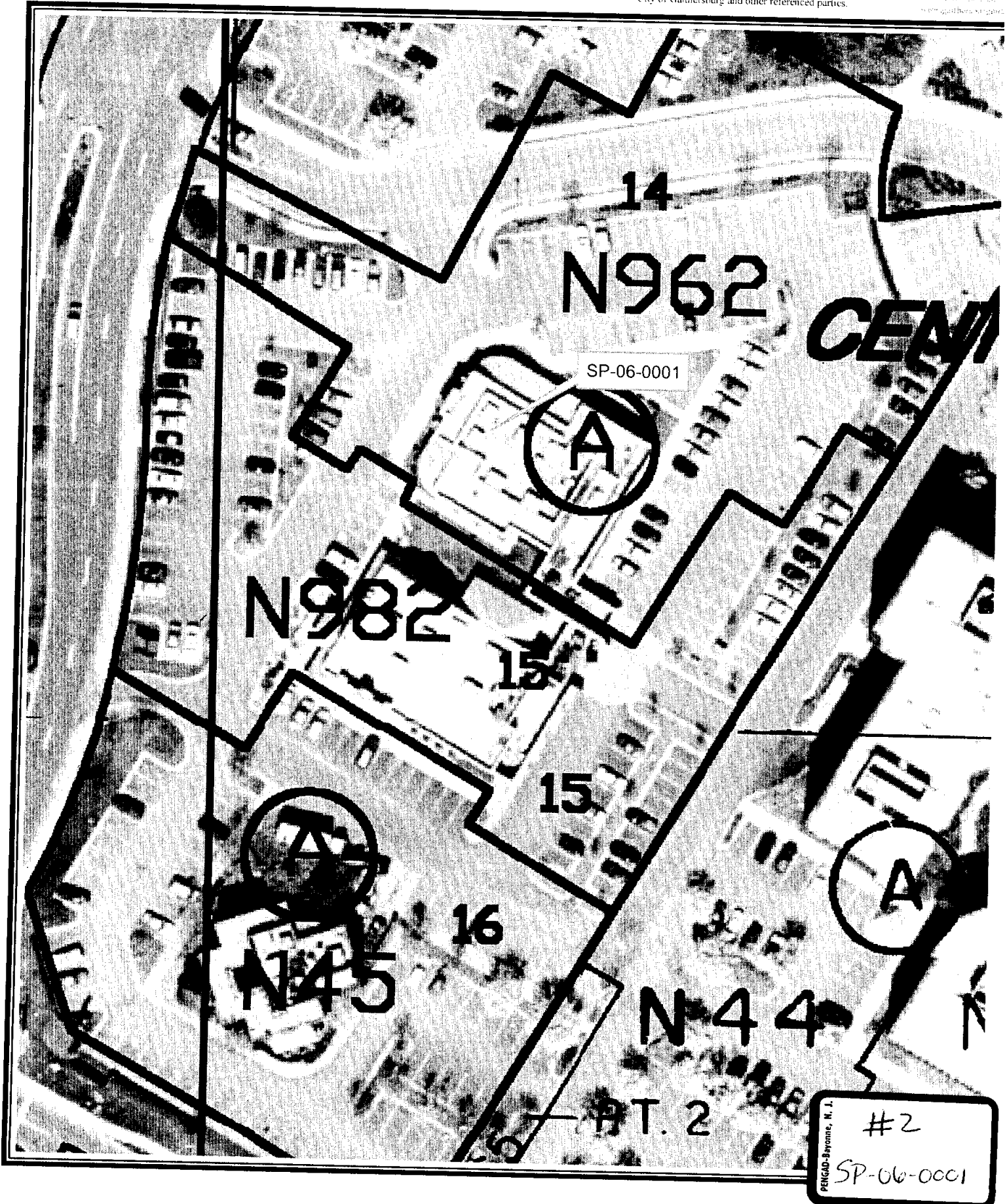
MD State Plane  
HPGN NAD 83 91

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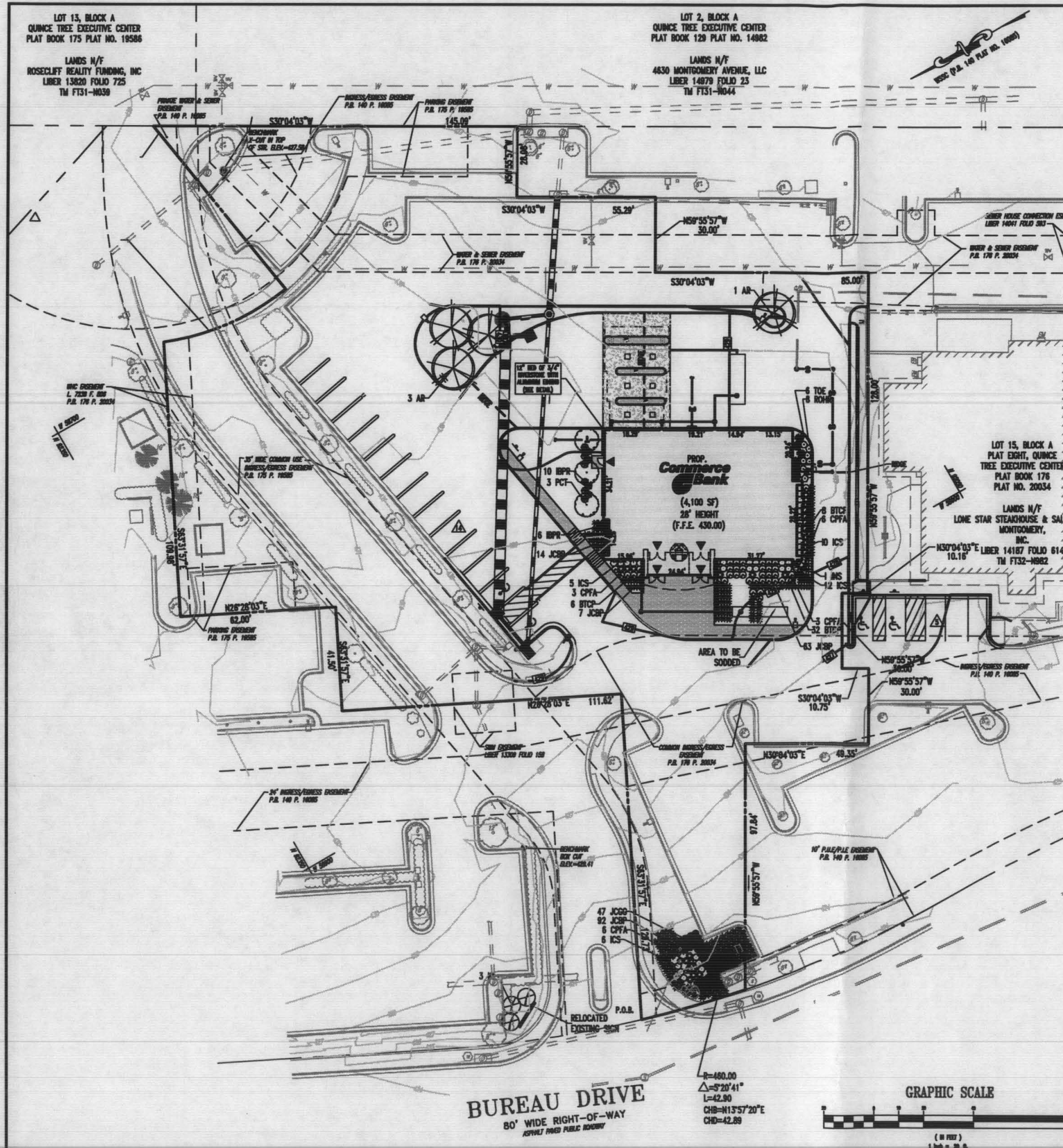


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LANDSCAPE SCHEDULE				
KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE
AR	4	ACER BURMAN	RED MAPLE	2 1/2"-5" CAL.
PCT	3	PRUNUS CERASIFERA 'THUNDERCLOUD'	THUNDERCLOUD PLUM	2-2 1/2" CAL.
DO	3	ILEX OPACA	AMERICAN HOLLY	6'-8'
BTCP	48	BENNETT'S THORNLESS 'CRIMSON PYRAM'	CRIMSON PYRAM RED BARBERRY	12-15"
CPFA	18	CHAMAECYPARUS PERIFERA 'FLUTERA AUREA'	GOLD THREAD CYPRESS	24" SPED. MIN.
ICP	18	ILEX X MESERIERAE 'BLUE PRINCESS'	BLUE PRINCESS HOLLY	24-30"
ICP	33	ILEX CHINENSIS 'STEEDS'	STEEDS JAPANESE HOLLY	24-30"
ICP	1	ILEX X 'WILLIE H. STEVENS'	WILLIE STEVENS HOLLY	6" MIN.
JCP	178	JANIPERUS CONFERTA 'BLUE PACIFIC'	BLUE PACIFIC SHRUB JUMPER	15-18" SPED.
DOH	8	HOODGONIA X GUTIERREZII 'VIRIDITY NEW'	VIRIDITY RED AZALEA	18-24"
TOE	6	TRIALIA OCCIDENTALIS 'EMERALD'	EMERALD GREEN ANGIOPERME	5-6"
JCP	47	JANIPERUS CHINENSIS	GOLD GLOW/GOLD GLOW JUMPER	15-18"

COMPLIANCE CHART	
SEC. 22-8. RETENTION, AFFORESTATION AND REFORESTATION REQUIREMENTS.	
(A) FOREST CONSERVATION THRESHOLD AS A PERCENTAGE OF NET TRACT AREA:	
COMMERCIAL AND INDUSTRIAL USE AREAS: 15%	
(B) AFFORESTATION.	
1. ANY SITE WITH LESS THAN FIFTEEN (15) PERCENT OF THE NET TRACT AREA IN FOREST COVER MUST BE AFFORESTED UP TO AT LEAST FIFTEEN (15) PERCENT OF THE NET TRACT AREA.	
REQUIRED:	
NET TRACT AREA: 29,310 S.F.	
(15%) = 4,396 S.F. OF TREE COVERAGE	
PROVIDED:	
4,900 S.F. (16.7%)	
(4 AR 91,000 EA; 3 PCT 8300 EA.)	

PENGAD-Bayonne, N. J.  
#4  
SP-06-0001

MISS UTILITY

THE OWNER DOES NOT INCLUDE NECESSARY COMPENSATION FOR CONSTRUCTION DELAYS. ALL CONSTRUCTION MUST BE DONE IN COMPLIANCE WITH THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970 AND ALL RULES AND REGULATIONS THEREOF.

THE CONTRACTOR TO CALL MISS UTILITY TO HAVE ALL EXISTING UTILITIES LOCATED 48 HOURS PRIOR TO ANY CONSTRUCTION.

THIS SHEET IS FOR LANDSCAPING PURPOSES ONLY

M.T. ALLEN

BOHLER ENGINEERING, P.C.

COMMERCE BANK - GAITHERSBURG LANDSCAPE PLAN

810 WEST DIAMOND AVE. - QUINCE TREE EXECUTIVE CENTER MONTGOMERY COUNTY, GAITHERSBURG, MD

SCALE (H): 1"=20'

DRAWN BY: R.F.G./J.M.

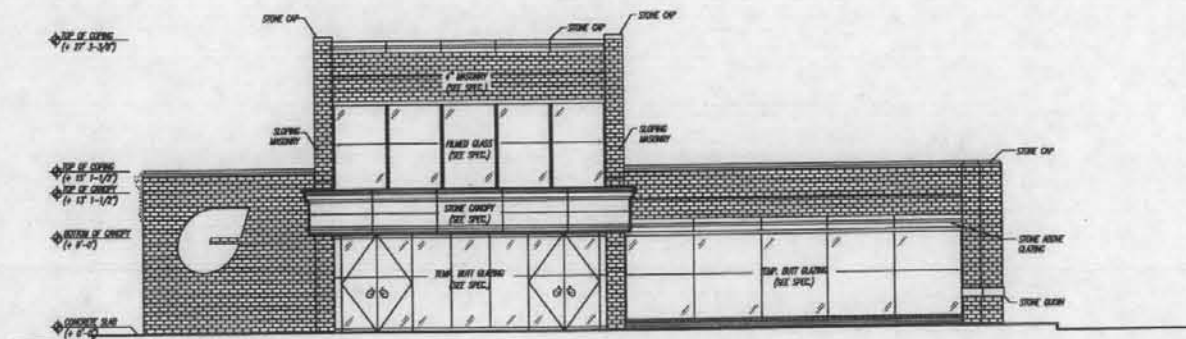
CHECKED BY: M.J.G.

DATE: 01/19/06

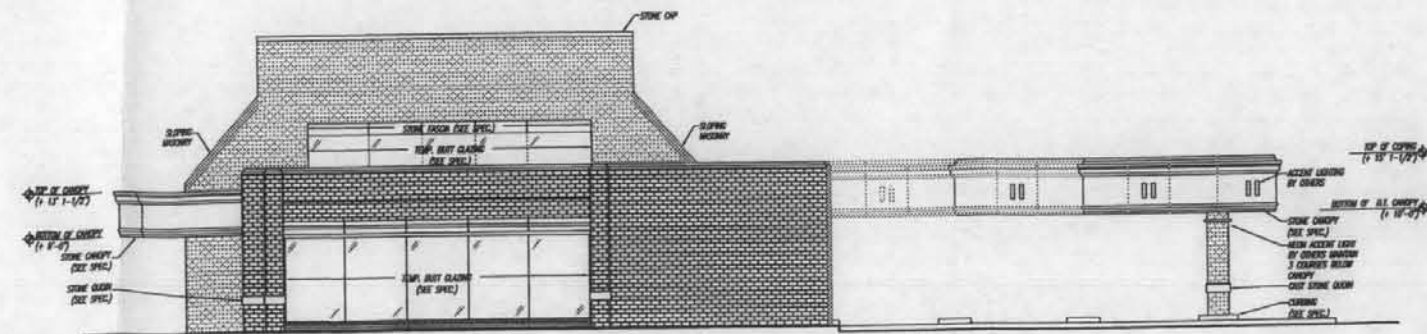
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CAD ID #: SS7508SS1

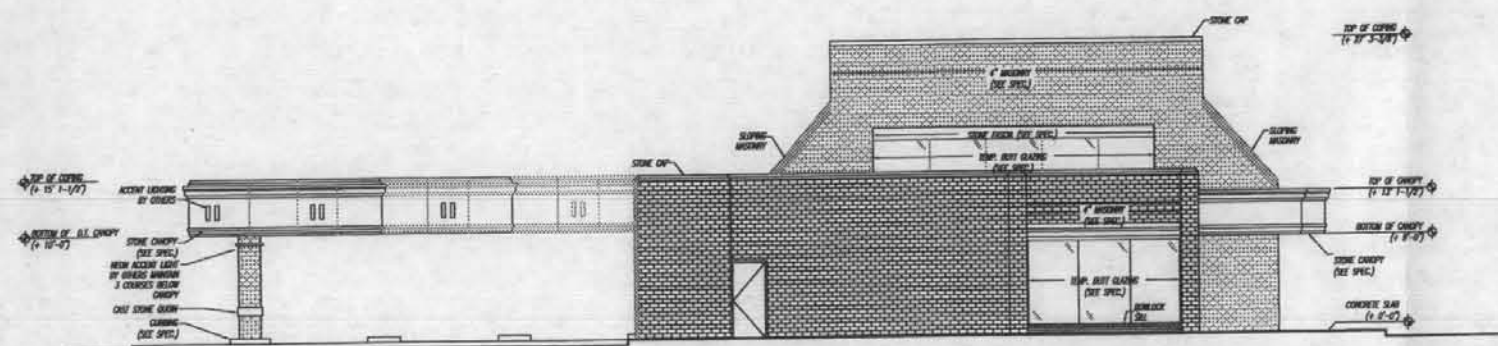
11 OF 18



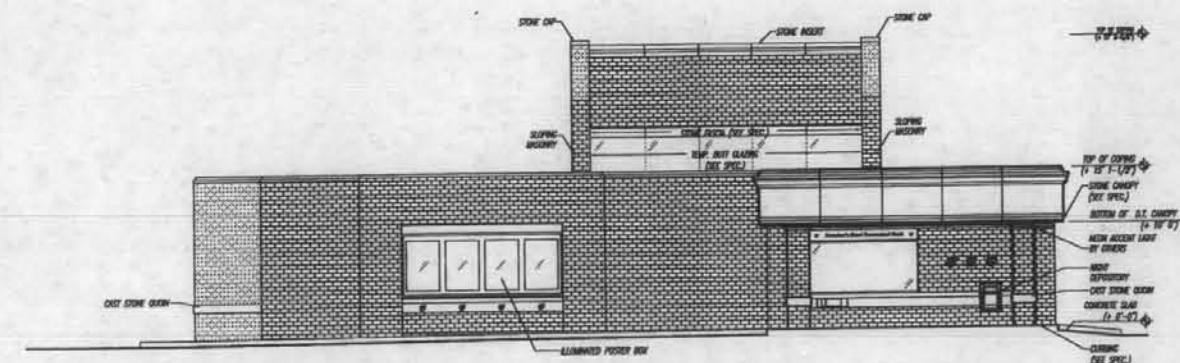
FRONT ELEVATION  
SCALE: 1"=8'



SIDE ELEVATION  
SCALE: 1"=8'



SIDE ELEVATION  
SCALE: 1"=8'



REAR ELEVATION  
SCALE: 1"=8'

MATERIALS: RED BRICK, EXTERIOR BUTT GLASS WINDOWS AND DOORS, AND WHITE CAST STONE CANOPIES AND TRIM.



D.M. DUKE

BOHLER  
ENGINEERING, P.C.

COMMERCE BANK - GAITHERSBURG  
BUILDING ELEVATIONS  
810 WEST DIAMOND AVE.  
MONTGOMERY COUNTY, GAITHERSBURG, MD

REV	DATE	DESCRIPTION
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

SCALE (H): 1"=8'  
(V):  
DRAWN BY: SMA  
CHECKED BY: SC  
DATE: 11/07/05  
DRAWING #: 5057508  
CAD ID #: PSI  
SHEET NUMBER

#5  
SP-06-0001

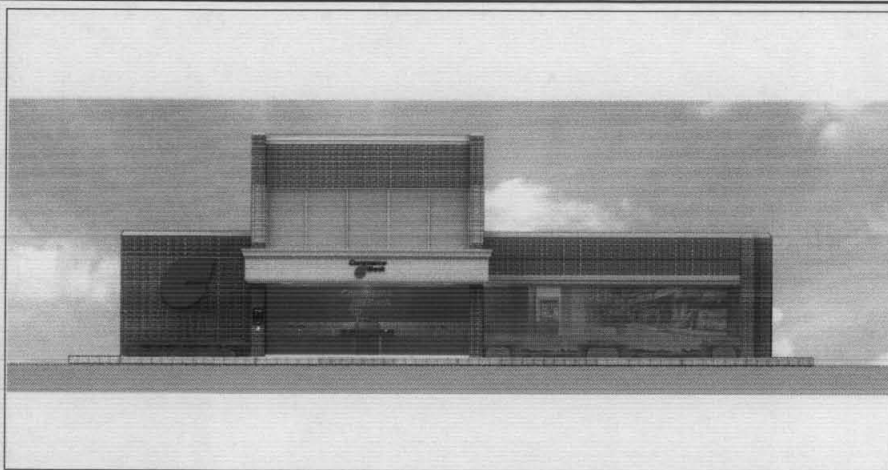


4 LANE REAR DRIVE  
GAITHERSBURG, MD  
February 24, 2006

PENGAD-Bayonne, N. J.

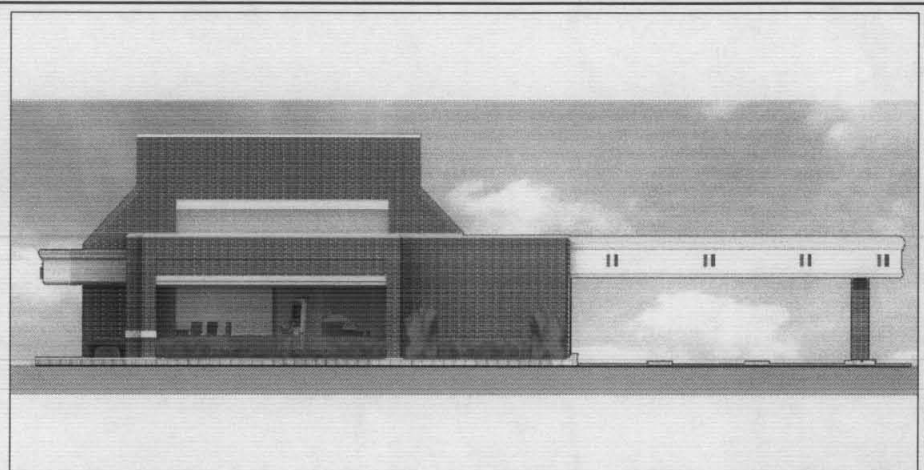
SP-06-0001

#6



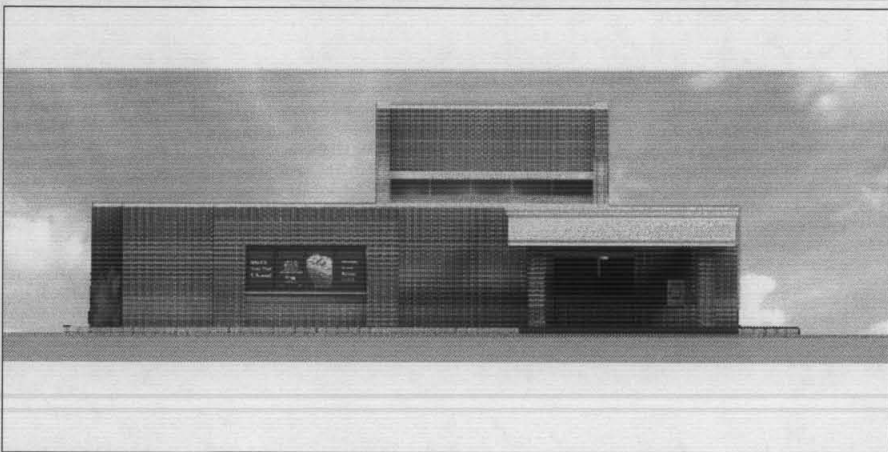
1 FRONT ELEVATION

NTS



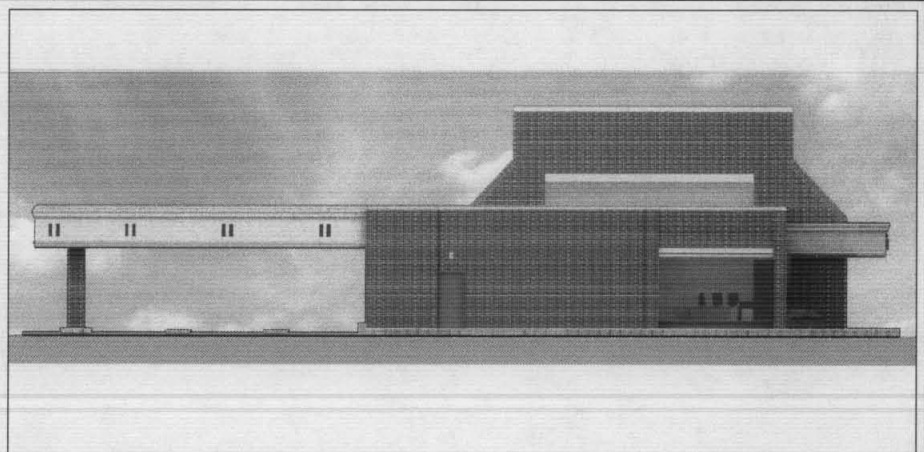
2 RIGHT SIDE ELEVATION

NTS



3 REAR ELEVATION

NTS







4 LEFT SIDE ELEVATION

NTS

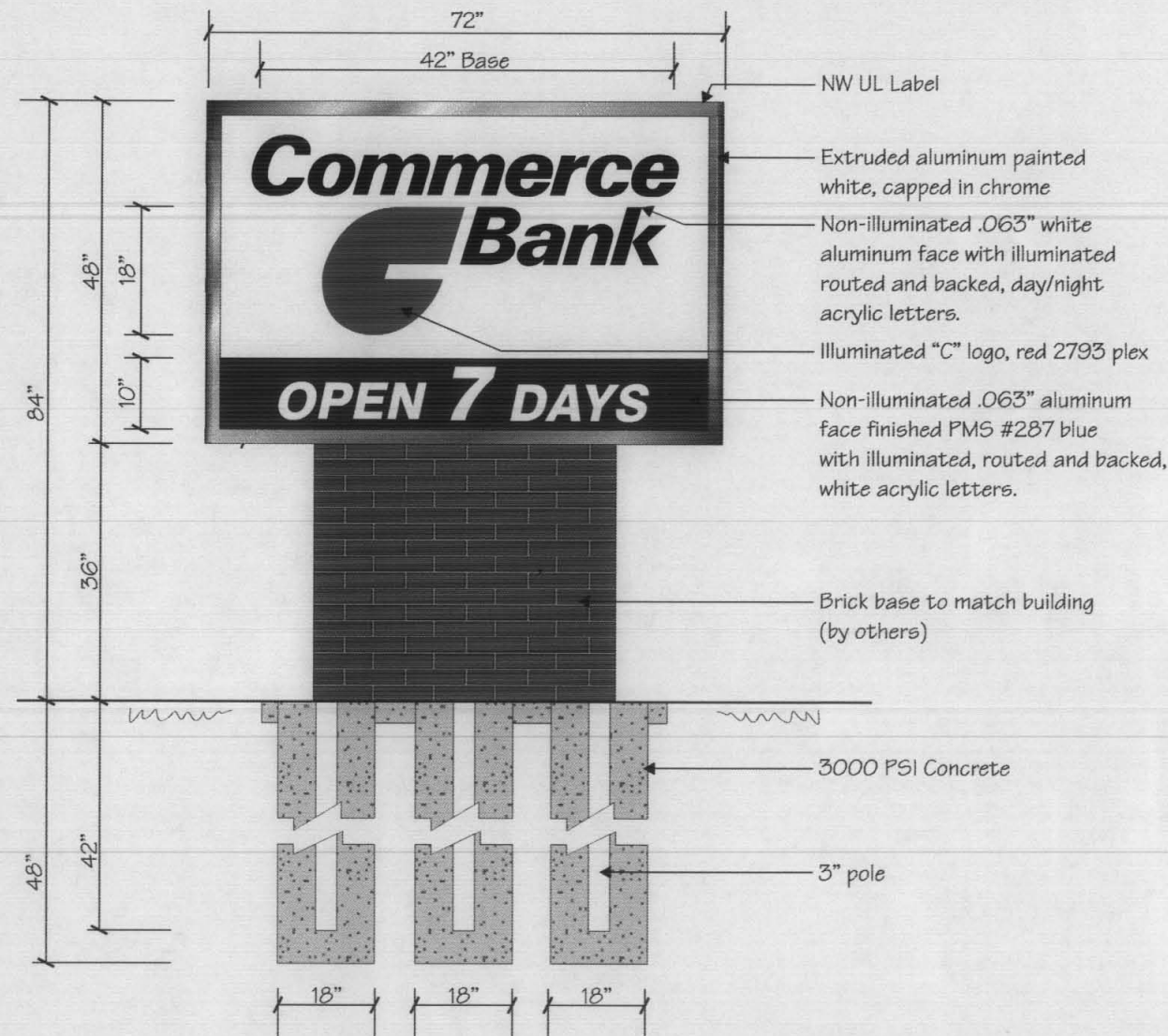


4 LANE REAR DRIVE  
GAITHERSBURG, MD  
2.24.06

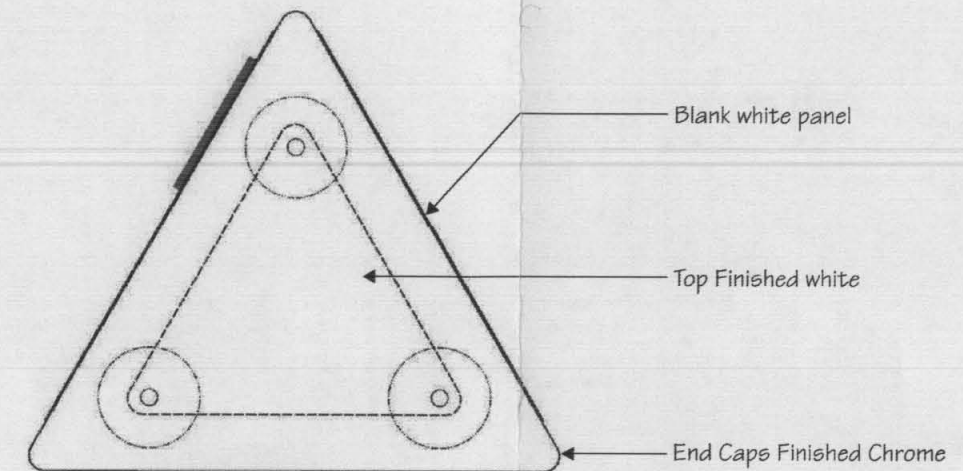
RED BRICK   
LIMESTONE   
GLASS   
BELGIAN BLOCK 

Proposed Sign Inventory				
Site #	#	Qty	Sign Code	Description
n/a	1	1	M24-TRI	3 Sided Monument Sign

**PLEASE PUT  
NW UL LABEL  
AT TOP OF SIGN**



**3-SIDED ILLUMINATED MONUMENT - M24-TRI - ELEVATION**  
SCALE: 1/2" = 1' 0"



**3-SIDED ILLUMINATED MONUMENT - PLAN**  
SCALE: 1/2" = 1' 0"

PENGAD-Bayonne, N. J.  
#7  
SP-06-0001

**Customer Review:**

☐ Approved as submitted  
☐ Approved as noted  
☐ See Notes - Resubmit Drawing  
for Review and Approval


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REVISION	DATE
1. revise to show 3 sided monument	2/23/06 gb

**NW SIGN INDUSTRIES**  
of New Jersey  
360 CRIDER AVENUE  
MOORESTOWN, NJ 08057  
(856) 802-1677 • fax: (856) 802-0412



	CUSTOMER:		Commerce Bank	
	ADDRESS:		Gaithersburg, MD	
	SITE #:		11-28-05	
	FILE NAME:		05-1354 Commerce Bank Gaithersburg MD.cdr	
	SALES REP:		House	DESIGNER: mjh

**05-1354-1**



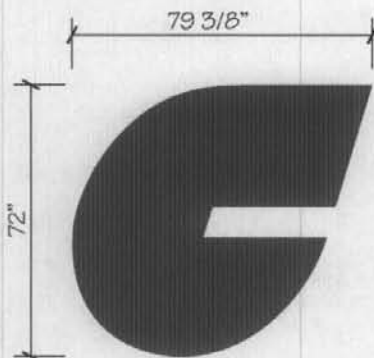
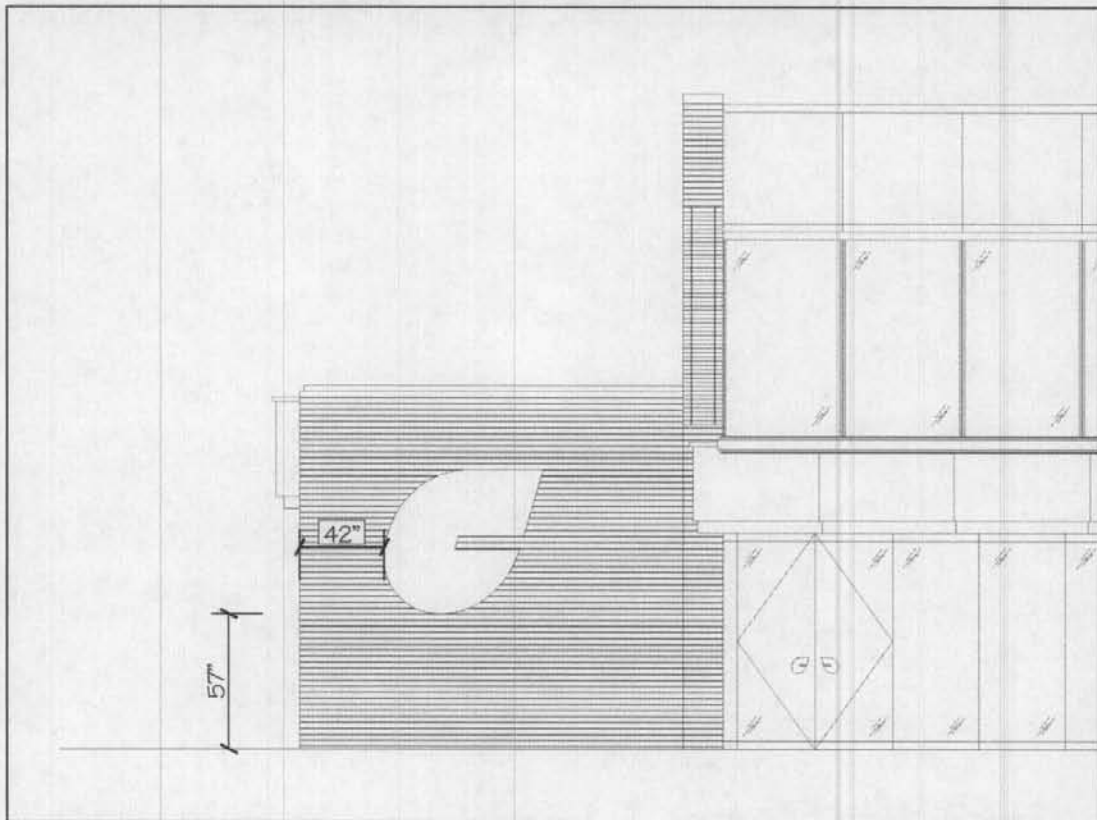
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SP-06-0001

#8

**Commerce  
Bank**

**OPEN 7 DAYS**

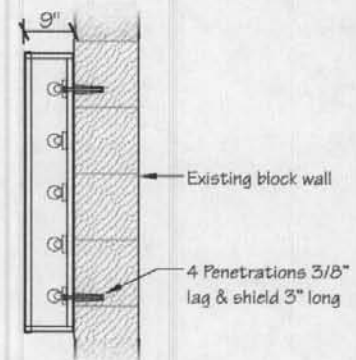


**Illuminated Channel Logo -40 sq ft**

Scale: 1/4" = 1'-0"

**NOTES**

Illuminated channel letter with red acrylic face #2793. Aluminum returns finished GG Rohm & Hass 2793 with red aluminum retaining bands. Illuminated with fluorescent lamps



**MOUNTING DETAIL**

PENGAD-Bayonne, N. J.  
#9  
SP-06-0001



360 CRIDER AVENUE  
MOORESTOWN, NJ 08057  
(856) 802-1677  
(800) 998-6366  
fax: (856) 802-0412  
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November, 2005



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CLIENT: **Commerce Bank**

ADDRESS: **Various**

DATE: SCALE: **As noted**

DESIGNER: **mlh**

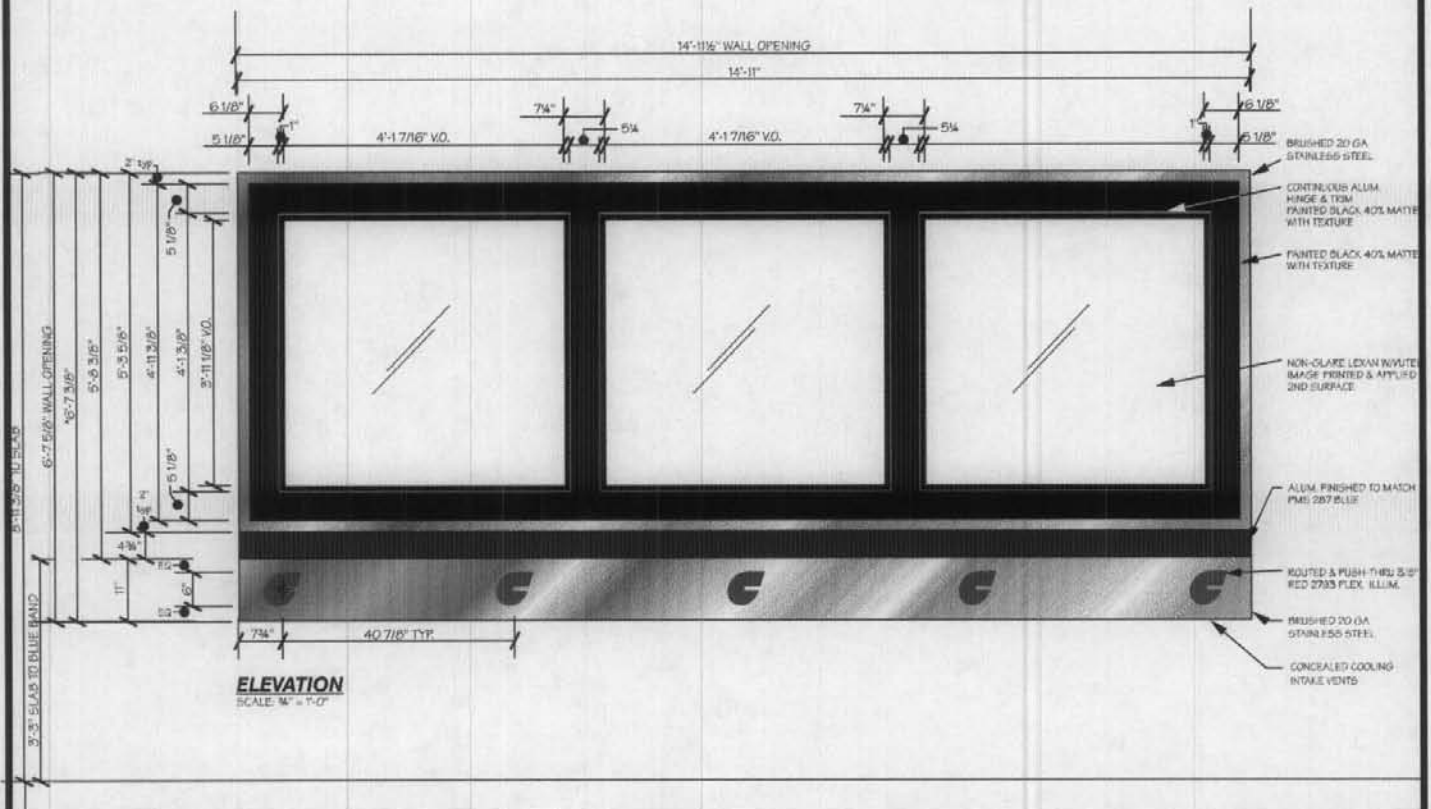
FILE NAME: **05-1362 Commerce Bank Exterior Sign...cdr**  
REVISION: **3. delete chn letter page 35. 1-6-05mlh**

DRAWING NO.: **05-1362-3**  
PAGE 11 OF 34

DESIGNER:  
mlh

DRAWING NO.:  
**05-1362-3**

PAGE 13 OF 34

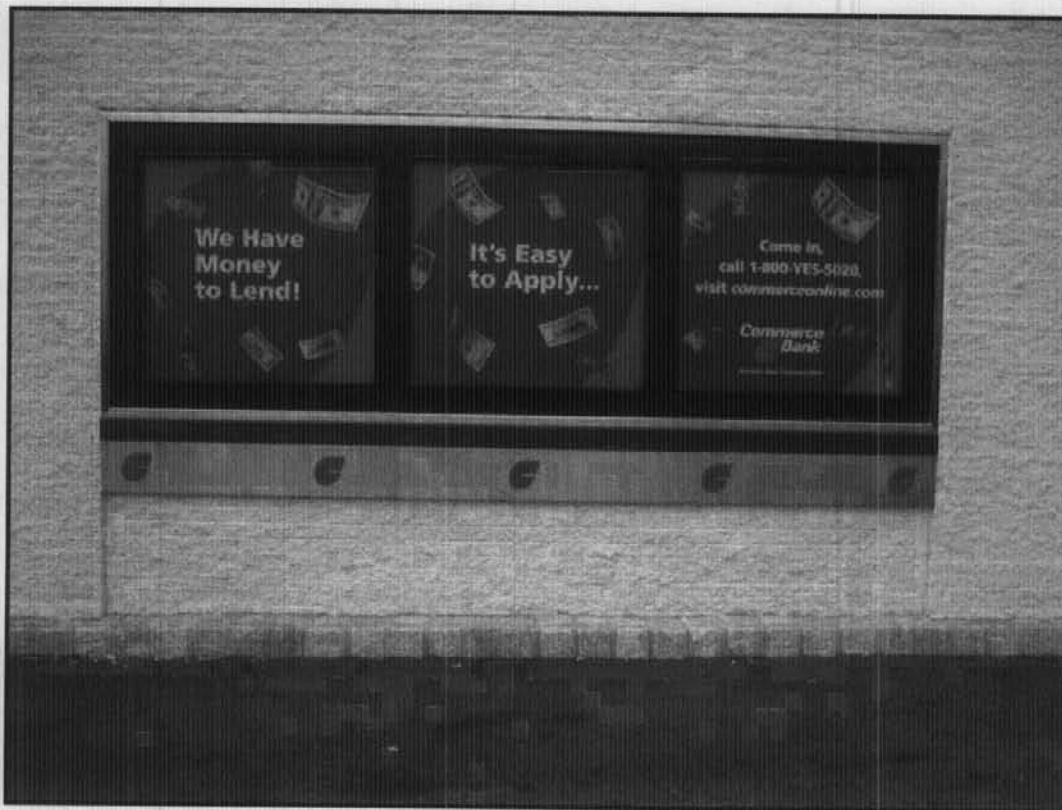


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CLIENT: <b>Commerce Bank</b>		ADDRESS: Various	
DATE:	SCALE: As noted	DESIGNER: mlh	
FILE NAME: 05-1362 Commerce Bank Exterior Sign...cdr		DRAWING NO. 05-1362-3	
REVISION: 3. delete chn letter page 35 1-6-05mlh		PAGE 22 OF 34	



REAR ELEVATION ILLUMINATED POSTER BOX SIGN

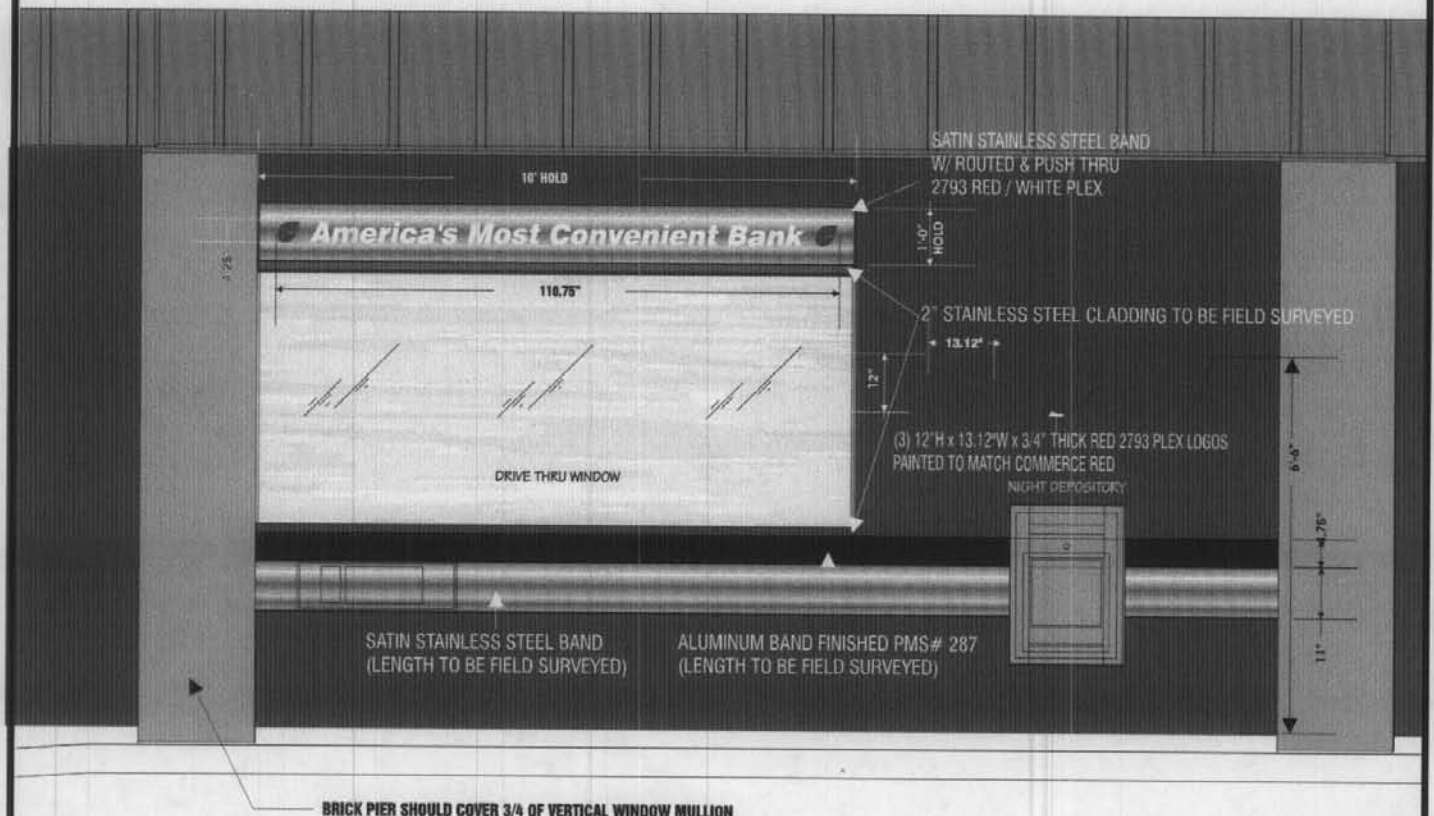


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CLIENT: <b>Commerce Bank</b>		ADDRESS: <b>Various</b>	
DATE:	SCALE: <b>As noted</b>	DESIGNER: <b>mlh</b>	
FILE NAME: <b>05-1362 Commerce Bank Exterior Sign...cdr</b>		DRAWING NO.: <b>05-1362-3</b>	
REVISION: <b>3, delete chn letter page 35 1-6-05mlh</b>		PAGE 30 OF 34	



BRICK PIER SHOULD COVER 3/4 OF VERTICAL WINDOW MULLION

**Illuminated Rear Drive Thru Window**

Not To Scale: \*



360 CRIDER AVENUE  
MOORESTOWN, NJ 08057  
(856) 802-1677  
(800) 998-6366  
fax: (856) 802-0412  
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November, 2005



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CLIENT: <b>Commerce Bank</b>		ADDRESS: <b>Various</b>	
DATE:	SCALE: <b>As noted</b>	DESIGNER: <b>mlh</b>	
FILE NAME: <b>05-1362 Commerce Bank Exterior Sign...cdr</b>		DRAWING NO.: <b>05-1362-3</b>	
REVISION: <b>3, delete chn letter page 35 1-6-05mlh</b>		PAGE 19 OF 34	



**Commerce Bank**

Mon - Wed 8:30 - 5:00  
Thur - Fri 8:30 - 8:00  
Saturday 8:30 - 3:00  
Sunday 11:00 - 4:00

**Drive-In**  
Mon - Fri 7:30 - 8:00  
Saturday 7:30 - 6:00  
Sunday 11:00 - 4:00

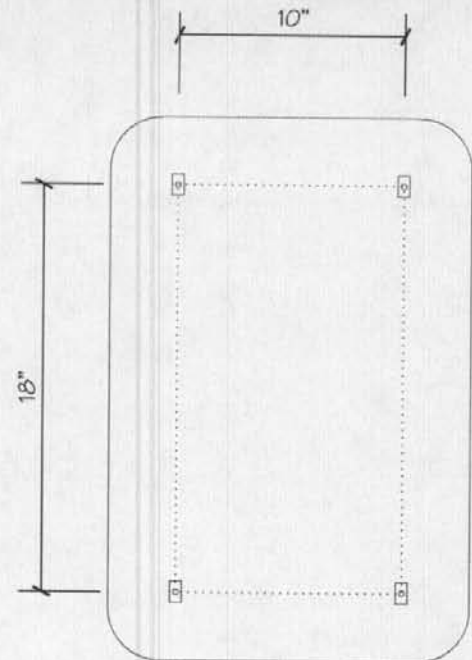
White vinyl copy

7725-53 Cardinal Red vinyl  
2nd surface

3/16" tk Smoked plex 2370

**Deposit Ticket Holder**

Scale: 1 1/2" = 1'-0"



\*Verify hours per region\*



**Commerce Bank**

Mon - Wed 8:30 - 5:00  
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Saturday 8:30 - 3:00  
Sunday 11:00 - 4:00

**Drive-In**  
Mon - Fri 7:30 - 8:00  
Saturday 7:30 - 6:00  
Sunday 11:00 - 4:00

**ATM**

After Hours Insert Card Here

Threaded glue block  
silicone to back of plaques  
for mounting



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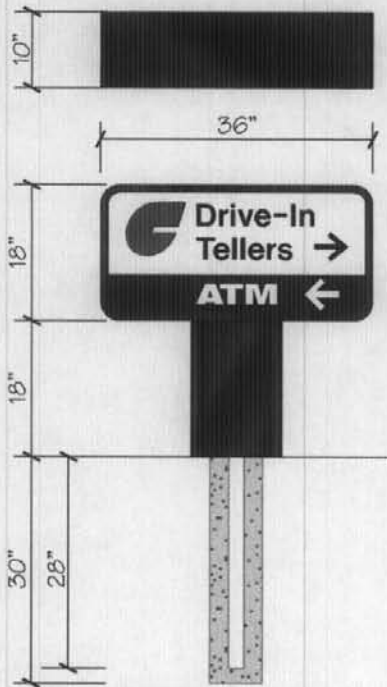


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CLIENT: **Commerce Bank**

ADDRESS: **Various**

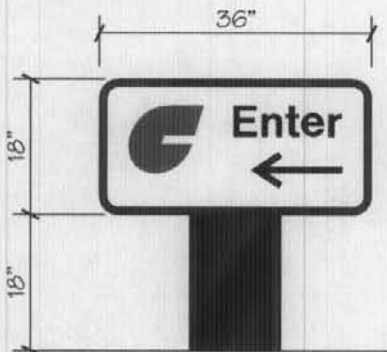
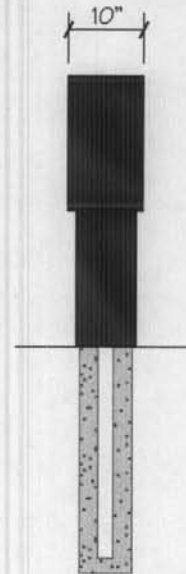
DATE:	SCALE: As noted	DESIGNER: mih
FILE NAME: 05-1362 Commerce Bank Exterior Sign...cdr		DRAWING NO.: 05-1362-3
REVISION: 3, delete chn letter page 35, 1-6-05mlh		PAGE 32 OF 33



**Typ. 18"x36" Directional**  
Scale: 1/8" = 1'-0"

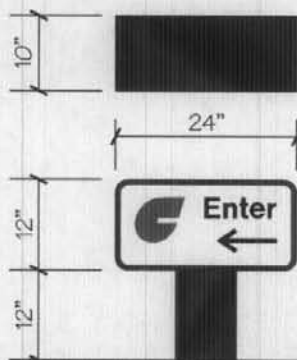


NW UL Label  
Disconnect switch  
inside sign cabinet

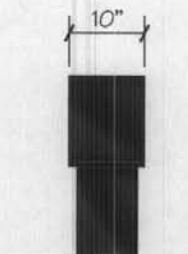


**NOTES**

- \*Internally illuminated by fluorescent lamps & 120V ballast
- \*Sign case, pole cover and returns finished GG SIGN0673 Bronze
- \*White 3/16" acrylic face
- \*F.C.O 1/8" Black plex letters
- \*"C" 1/8" tk. Red acrylic #2793
- \*"ATM" is applied 3630-157 sultan blue vinyl with removed copy



**Typ. 12"x24" Directional**  
Scale: 1/8" = 1'-0"



**PLEASE PUT  
NW UL LABEL  
UNDERNEATH**



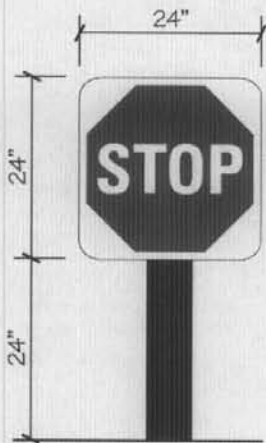
360 CRIDER AVENUE  
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DATE:	SCALE: <b>As noted</b>	DESIGNER: <b>mlh</b>	
FILE NAME: <b>05-1362 Commerce Bank Exterior Sign...cdr</b>		DRAWING NO.: <b>05-1362-3</b>	
REVISION: <b>8. delete chn letter naon 35 1-6-05mlh</b>		PAGE 8 OF 34	

Verbiage to be site specific



**America's  
Most  
Convenient  
Bank**

Applied white & red  
reflective vinyl

Aluminum post & panel  
finished GG Sign0673  
Bronze

**D/F 24"x24" Directional**

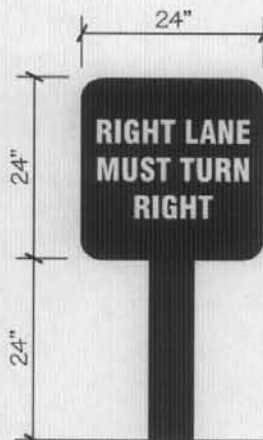
Scale: 1/2" = 1'-0"



**America's  
Most  
Convenient  
Bank**

**D/F 24"x24" Directional**

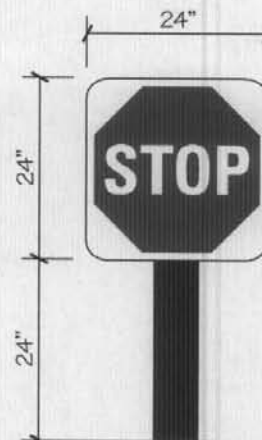
Scale: 1/2" = 1'-0"



**America's  
Most  
Convenient  
Bank**

**D/F 24"x24" Directional**

Scale: 1/2" = 1'-0"



**D/F 24"x24" Directional**

Scale: 1/2" = 1'-0"



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ADDRESS:  
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DATE: SCALE: **As noted**

DESIGNER:  
**mlh**

FILE NAME:  
**05-1362 Commerce Bank Exterior Sign...cdr**  
REVISION:  
**3. delete chn letter page 35 1-6-05mlh**

DRAWING NO.:  
**05-1362-3**  
PAGE 3 OF 34



PENGAD-Bayonne, N. J.  
#10  
SP-06-0001

LAW OFFICES

# MILLER, MILLER & CANBY

CHARTERED

200-B MONROE STREET  
ROCKVILLE, MARYLAND 20850

(301) 762-5212  
FAX (301) 762-6044

JSKLINE@MMCANBY.COM

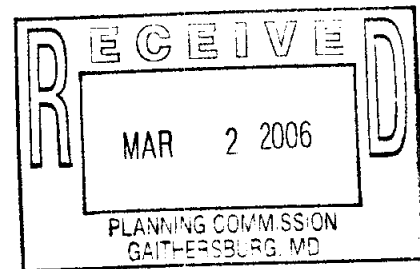
JAMES R. MILLER, JR.  
PATRICK C. MCKEEVER  
JAMES L. THOMPSON  
LEWIS R. SCHUMANN  
JODY S. KLINE  
ELLEN S. WALKER  
MAURY S. EPNER  
JOSEPH P. SUNTUM  
SUSAN W. CARTER  
ROBERT E. GOUGH  
GLENN M. ANDERSON\*  
MICHAEL G. CAMPBELL  
SOO LEE-CHO

*\*Licensed in Maryland and Florida*

March 1, 2006

Ms. Caroline Seiden  
City of Gaithersburg Planning Department  
31 South Summit Avenue  
Gaithersburg, MD 20877

RE: Proposed Commerce Bank Facility;  
Bureau Drive

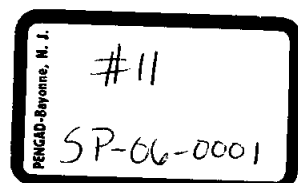


Dear Caroline:

In response to your request, I am pleased to provide the following information regarding signage at the above-referenced site, including a request that the City of Gaithersburg Planning Commission approve informational signs to be located on the east (rear) side of the proposed Commerce Bank facility at 810 West Diamond Avenue.

You will note in reviewing Commerce Bank's plans that it shows three poster signs grouped into one "box" sign located along the rear wall of the proposed facility. Each individual poster measures approximately 4' x 4', making the overall length of the sign "box" 15'. These signs are recessed into the brick wall encased in a stainless steel frame. They are softly "backlit" and covered with non-glare lexan plastic.

The signs are intended to provide guidance and information to the Bank's customers who on occasions are lined up in queues waiting to complete their banking transaction at the drive-thru windows. The signs serve a number of functions: For the bank customer using the drive-thru window, they advise the customer how to organize their materials in order to facilitate and expedite the drive-thru banking activity. The signs also provide information about bank services that would be of interest to drive-thru customers, including hours of operation and services that can be provided at drive-thru windows. These signs serve to educate customers so that they do not visit the site when the bank is not in operation or to advise them that certain bank functions can be performed without even visiting the site. The signs will also provide information about deposit rates, bank "specials" and, possibly, announcements about the Bank's forthcoming programs. The signs are changed approximately every three or four months.



You will note that the signs are located on the east (rear) wall of the proposed facility and are not visible from any residence or adjacent public street. The wattage associated with the "backlit" signs is modest so there is no light spillage that would be objectionable or offensive to any persons situated in a location where they could see the signs.

Because the proposed box signs facilitate and expedite customers' activities at the bank, and because they are not visible from public streets or bothersome to adjacent properties, Commerce Bank requests that the Planning Commission approve the installation and operation of such signs as provided in Section 24-212(c)(1).

Thank you for your consideration of these comments.

Sincerely yours,

MILLER, MILLER & CANBY

A handwritten signature in black ink that reads "Jody" with a stylized flourish at the end.

Jody S. Kline

JSK/dlt

cc: Trudy Schwarz  
Jim Villars  
Dan Duke  
Shawn Frost  
Soo Lee-Cho, Esquire

**Caroline Seiden - Lot 15, Qince Tree Executive Center**

**From:** "Perrill, Karon" <kperrill@steakco.com>  
**To:** <cseiden@gaithersburgmd.gov>  
**Date:** 03/02/2006 5:41:11 PM  
**Subject:** Lot 15, Qince Tree Executive Center

Ms. Seiden:

Lone Star has approved the access easement submitted by Commerce Bank wherein we grant a 3 ft easement on our property. However, I do not have an officer in today to sign the document. I expect to have one in tomorrow and at the latest on Monday. We will execute and send to them for their signature at that time. Additionally, Lone Star is agreeable to an administrative review by the City to amend our site plan to accomplish the proposed changes outlined in the Easement.

Karon Perrill  
Real Estate Manager  
Lone Star Steakhouse & Saloon, Inc.  
224 E. Douglas, Suite 700  
Wichita, KS 67202  
(316) 264-8899 telephone  
(316) 264-2926 fax

